

**THE CORPORATION OF THE CITY OF RICHMOND HILL**

**BY-LAW NO. ##-21**

A By-law to Amend By-law 2325-68, as amended, of The Corporation of the former Township of Markham, and to Amend By-law 55-15, as amended, of The Corporation of the Town of Richmond Hill

WHEREAS the Council of The Corporation of the City of Richmond Hill at its Meeting of ~ , 2021 directed that this by-law be brought forward to Council for its consideration;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF RICHMOND HILL ENACTS AS FOLLOWS:**

1. That By-law No. 2325-68, as amended, of The Corporation of the former City of Richmond Hill, be and is hereby further amended by removing those lands identified on Schedule "A" to By-law ##-21, and any provisions that previously applied to the lands shown on Schedule "A" to this By-law ##-21 shall no longer apply.
2. That By-law Nos. 55-15, as amended, and 82-16, as amended, of the Corporation of the Town of Richmond Hill, be and is hereby amended as follows:
  - a. By expanding the boundary to include the lands identified on Schedule "A" to By-law ##-21 and zoning them "C1 - Neighbourhood Commercial Zone" and "EPA2 – Environmental Protection Zone Two"; and
  - b. By adding the following to **SECTION 7 – EXCEPTIONS** of By-law No. 55-15, of the Corporation of the Town of Richmond Hill:

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Notwithstanding any other inconsistent or conflicting provisions of By-law 55-15, as amended, of the Corporation of the Town of Richmond Hill, the following special provisions shall apply to those lands zoned "C1 Neighbourhood Commercial Zone" and generally described as 0 Elgin Mills Road East, Part of Lot 26, Concession 2, E.Y.S., and as denoted by Schedule A to By-law ##-21 (the "Lands"):

1. In this by-law,
  - (a) FLOOR AREA, GROSS means the aggregate of the floor areas of a building measured between the exterior faces of the exterior walls of the building at each floor level but excluding basement, mechanical penthouses, loading areas, a parking structure, garages, elevator shaft, stairwell, mechanical or electrical rooms or shafts, spaces open to below, and any space with a floor to ceiling height of less than 1.8 metres.
  - (b) ESTABLISHED GRADE means a Canadian Geodetic Datum of 230.17 (average grade) metres;

- (c) STREET as defined under By-law 55-15, as amended, includes a LANE as defined under By-law 55-15, which is a public or private means of vehicular access to an abutting property. This may also include a parcel of land which is a COMMON ELEMENT CONDOMINIUM for means of vehicular access.
- (d) LOT which is a whole LOT as shown on a Registered Plan of Subdivision, but a registered Plan of Subdivision for the purpose of this definition does not include a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to Section 50 of the *Planning Act*, R.S.O 1990, as amended, or a predecessor thereof.

## 2. **Uses Permitted**

- (a) Street Townhouse Dwelling

## 3. **General Provisions**

- (a) Section 5.3.4 of By-law 55-15 with respect to the number of driveways, does not apply.
- (b) Notwithstanding Sections 5.7 and 5.8 of By-law 55-15, a landscaping buffer is not required.
- (c) Despite Table B1 – Commercial Zones – Permitted Uses, in a BUILDING on Parcel D containing both commercial and residential uses, dwelling units shall be permitted on the ground floor, and the outdoor storage of goods is permitted.

## 4. **Development Standards**

- (a) The following provision shall apply to the “lands” shown on Schedule “A” of By-law #-21:
  - i. the “Lands” shall be deemed to be a LOT
- (b) The following provisions shall apply to the further division of the “lands” shown on Schedule “A” of By-law #-21 into those parcels denoted on Schedule “B” to By-law #-21 as Parcel A, Parcel B, Parcel C and Parcel D, each of which shall be deemed to be a LOT:
  - i. Minimum LOT FRONTAGE:
    - a. Parcel A: 237 metres
    - b. Parcel B: 33 metres
    - c. Parcel C: 55 metres
    - d. Parcel D: 92 metres

- ii. For the purposes of Section (b)(i), LOT FRONTAGE shall be deemed to be the following that fronts onto the LOT line as shown on Schedule “B” to By-law #-21:
  - a. Parcel A: the south-westerly limit of Parcel A
  - b. Parcel B: the westerly limit of Parcel B adjacent to Bayview Avenue
  - c. Parcel C: the southerly limit of Parcel C adjacent to Elgin Mills
  - d. Parcel D: the westerly limit of Parcel D adjacent to Bayview Avenue

## **5. Standard Condominiums**

- (a) The following provisions shall apply to a LOT that contains an APARTMENT BUILDING and STREET TOWNHOUSE DWELLING on Parcel D as shown on Schedule “B” of By-law #-21:
  - i. Maximum permitted height for a building containing an APARTMENT DWELLING on Parcel D shown on Schedule “B” to By-law #-21 shall be 14 storeys provided that:
    - a. For the purposes of this exception, a mechanical penthouse or any other rooftop enclosure projecting up to 6 metres above the permitted height shall not be considered a storey; and
    - b. For the purposes of this exception, a ground floor with a height up to 7.5 metres shall be considered a single storey.
  - ii. The minimum required FRONT YARD shall be 3.0 metres;
  - iii. The minimum required REAR YARD shall be 1.5 metres; and
  - iv. The minimum required SIDE YARD and FLANKAGE YARD shall be 3.0 metres;

## **6. Common Element Condominiums**

- (a) Minimum YARDS shall be in accordance with Schedule “C” to By-law #-21.
- (b) Minimum separation between BUILDINGS shall be in accordance with Schedule “C” to By-law #-21.
- (c) No setbacks are required to any portion of a parking garage, transformer structure and waste storage structure that is located above ground.
- (d) No setback is required to any portion of a Visitor Parking Space from a LOT that is a PARCEL OF TIED LAND that contains a STREET TOWNHOUSE DWELLING on Parcel A and Parcel B as shown on Schedule “B” of By-law #-21.

- (e) No minimum lot area or coverage shall apply to a LOT that is a PARCEL OF TIED LAND that contains a STREET TOWNHOUSE DWELLING on Parcel A, Parcel B and Parcel C as shown on Schedule “B” of By-law #-21.
- (f) The following provisions shall apply to a LOT that is a PARCEL OF TIED LAND that contains a STREET TOWNHOUSE DWELLING on Parcel A as shown on Schedule “B” of By-law #-21:
- i. Maximum YARD encroachments for unenclosed and/or uncovered porches and/or decks with or without foundations and stairs used to access such porches and/or decks:
    - a. FRONT YARD: 2.0 metres
  - ii. In up to 2 units, window well and/or bays with or without foundations are permitted in any SIDE YARD, FLANKAGE YARD, EXTERIOR SIDE YARD with a maximum projection into a required YARD of 1.0 metres over a maximum width of 4.5 metres.
- (g) The following provisions shall apply to a LOT that is a PARCEL OF TIED LAND that contains a STREET TOWNHOUSE DWELLING on Parcel B and Parcel C as shown on Schedule “B” of By-law #-21:
- i. Maximum YARD encroachments for unenclosed and/or uncovered porches and/or decks and stairs used to access such porches and/or decks:
    - a. FRONT YARD: 2.0 metres
    - b. REAR YARD: 2.0 metres
  - ii. In up to 2 units, window well and/or bays with or without foundations are permitted in any SIDE YARD, FLANKAGE YARD, EXTERIOR SIDE YARD with a maximum projection into a required YARD of 1.0 metres over a maximum width of 4.5 metres.
  - iii. Limiting Distance will be measured a minimum of 1.5 metres beyond the rear property line at the South East corner of Parcel A, North of Townhouse Block C.
  - iv. Minimum setback from the hypotenuse of daylight triangle taken by the City of Richmond Hill to a building: 0.4 metres

## 7. **Parking Standards**

- (a) The following parking rates shall apply to the subject lands:

Townhouse dwellings	2 spaces per unit.
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	No additional parking space is required for a secondary suite.
Apartment dwelling units Bachelor units One-bedroom units Two-bedroom units Three-bedroom units	1.0 space per unit 1.10 spaces per unit 1.35 spaces per unit 1.67 spaces per unit
Visitor Parking	0.25 spaces per unit
Commercial Uses including retail store, restaurant, fast food restaurant, take-out restaurant	4.3 spaces / 100 square metres of gross floor area for retail uses

- (b) Visitor parking required by Section 5(a) above shall be shared between the APARTMENT DWELLING units on Parcel D as shown on Schedule "B" of By-law #-21.
- (c) Visitor parking required by Section 5(a) above shall be shared between the STREET TOWNHOUSE DWELLING and REAR LANE TOWNHOUSE DWELLING units on Parcel A, Parcel B, Parcel C and Parcel D as shown on Schedule "B" of By-law #-21.
- (d) Despite Section 5.9.1 of By-law 55-15, the loading space requirement for a BUILDING containing commercial and residential uses is one space per BUILDING.
3. Despite any existing or future severance, partition or division of the lot, the provisions of this exception shall apply to the whole of the lot as if no severance, partition or division occurred.
4. All other provisions of By-law No. 55-15 as amended, not conflicting with or inconsistent with the foregoing, shall continue to apply to the lands shown on Schedule "A" attached hereto.
5. Schedule(s) attached to By-law No. #-21 is declared to form a part of this by-law.

**PASSED THIS DAY OF \_\_\_\_\_, 2021.**

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**Mayor**

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Town Clerk

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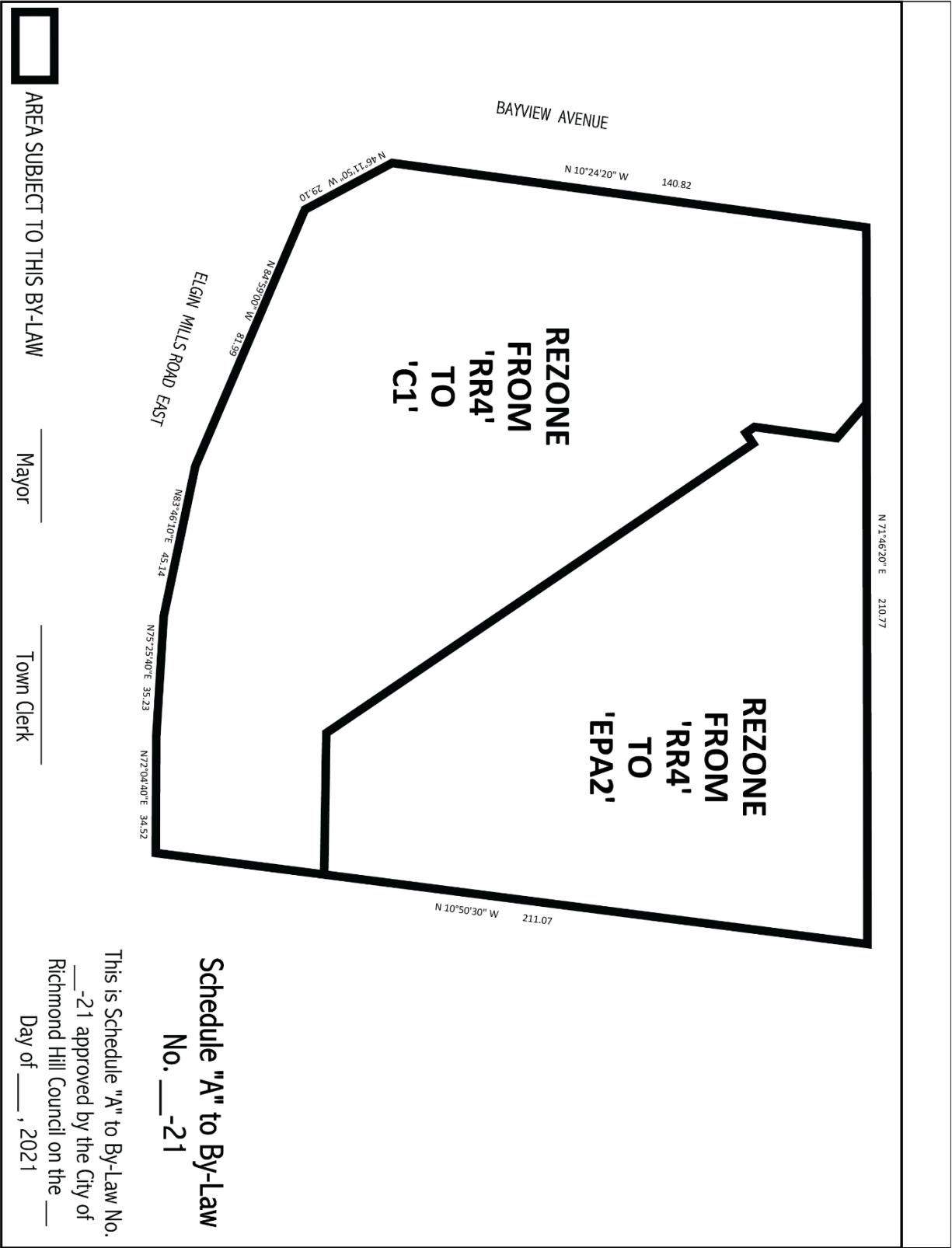
**THE CORPORATION OF THE TOWN OF RICHMOND HILL EXPLANATORY NOTE TO BY-LAW NO. ##-21**

Proposed Amendment to the Former Township of Markham Zoning By-law 2325-68, as amended, and to the Corporation of the Town of Richmond Hill North Leslie Secondary Plan Area Zoning By-law 55-15.

1430518 Ontario Limited has applied to change the zoning permissions for the property known municipally as 0 Elgin Mills Road East, Part of Lot 26, Concession 2, E.Y.S. (the "Lands"). The site is located at the northeast corner of Bayview Avenue and Elgin Mills Road East. The site is approximately 4.07 hectares in size with 2.366 hectares of developable land.

The purpose of this Zoning By-law Amendment is to remove the subject lands from Former Township of Markham By-law 2325-68, where it is zoned "R4 Rural Residential", and include it within North Leslie Secondary Plan Area By-law 55-15 and rezoning the lands "C1 Neighbourhood Commercial Zone" and Environmental Protection Area Two Zone" with site specific exceptions to development standards. The Zoning By-law Amendment is required to facilitate a mixed use development consisting of two 14 storey mixed-use buildings with retail and other commercial uses at grade, as well as block townhouse dwellings.

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AREA SUBJECT TO THIS BY-LAW

Mayor

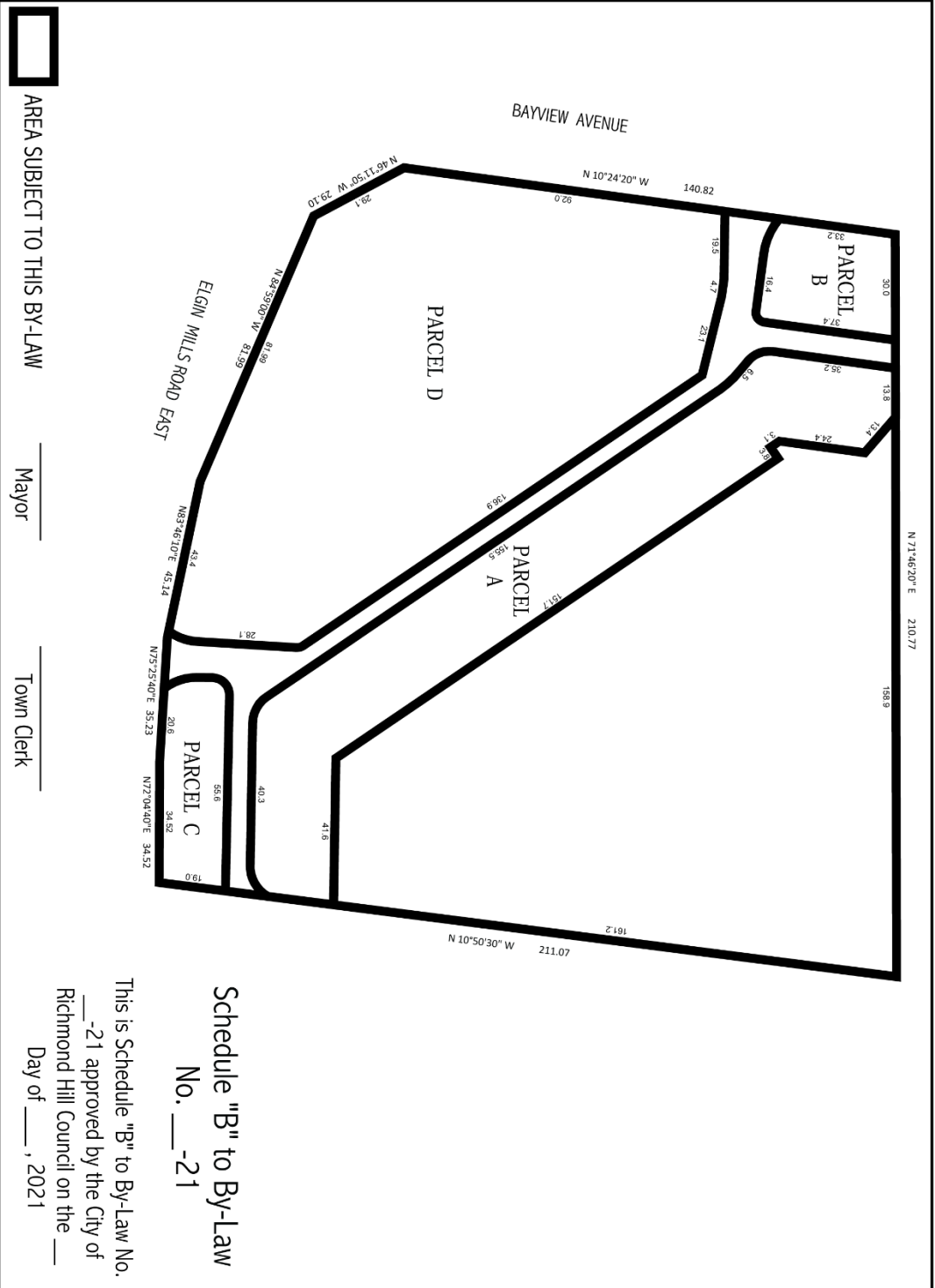
Town Clerk

**Schedule "A" to By-Law**

**No. \_\_\_-21**

This is Schedule "A" to By-Law No. \_\_\_-21 approved by the City of Richmond Hill Council on the \_\_\_ Day of \_\_\_, 2021





AREA SUBJECT TO THIS BY-LAW

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Clerk

**Schedule "B" to By-Law  
No. \_\_\_\_-21**

This is Schedule "B" to By-Law No. \_\_\_\_-21 approved by the City of Richmond Hill Council on the \_\_\_\_ Day of \_\_\_\_, 2021

